

REMARKS

Reconsideration of this application is respectfully requested. No amendments have been made to the claims.

Claims 1, 6 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2004/0240856 to Yahata et al. (*Yahata*) in view of U.S. Patent No. 6,778,759 to Yamada et al. (*Yamada*) and in view of U.S. Patent No. 6,341,127 to Katsube et al. (*Katsube*).

Claims 2 - 5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2004/0240856 to Yahata et al. (*Yahata*) in view of U.S. Patent No. 6,778,759 to Yamada et al. (*Yamada*) and in view of U.S. Patent No. 6,341,127 to Katsube et al. (*Katsube*) and in view of U.S. Patent Publication No. 2002/0006268 to Chotoku et al. (*Chotoku*).

Applicants respectfully disagree with respect to all rejections.

In addition to arguments and explanations presented in prior responses, Applicants offer the following remarks relating to the new reference combination asserted by the Examiner.

At page 4 of the Office Action Summary the Examiner states that the combination of “Yahata in view of Yamada fail to teach the indication of stream paths” and looks to *Katsube* to provide the missing element. *Katsube* describes a label switching path (LSP) as a path through which packets are transferred by this label switching (col. 1, l. 38-43). *Katsube* further describes that a security function may be maintained by limiting LSP set up and/or packet streams transferred by the LSP. The Examiner continues at page 4 of the Office Action stating that *Katsube* therefore describes,

“...indicating the exchange of information between external data source”.

However, the Examiner’s stated deficiency of “Yahata in view of Yamada” is incomplete in that it fails to fully recognize the difference from Applicants claim 1 which recites,

“indicating the stream path type of each of said sub stream paths”
(emphasis added).

The stream path type is recited as,

“a video stream path type,

an audio stream path type,
a subtitle stream path type, and
a graphics stream path type;”

The US Patent to *Katsube* is related to a node device and a method for controlling label switching path set up in interconnected networks that utilize label switching scheme (col. 1, l. 9-11). According to *Katsube*, labels are specific channel identifiers allocated to specific packet streams such that packet switching in a node can be carried out according to correspondences among stored label values (col. 1, l. 19-26). Thus, labels as disclosed by *Katsube* refer to transmission paths in a network. The *Katsube* labels are completely different from stream path type indication, as recited in Applicants’ claim 1, which indicate type of content, i.e. video, audio, subtitles or graphics, of the data stream to which descriptors of a sub stream path point.

Both *Yamada* and *Yahata* are related to recording information on a recording medium. *Katsube* may only suggest using labels as disclosed for switching information while being transferred from or to an information recording medium as suggested by *Yamada* in view of *Yahata*. However, the Examiner’s combination yields something different from what is recited in Applicants’ claim 1.

Referring back to remarks filed responsive to the July 10, 2008 Office Action where Applicants’ discussed why *Yamada* is “ill-suited” or fails to suggest the following feature of claim 1:

“binding at least one data stream which is originating from an external data source to said basic stream path by pointing at said data stream by descriptors of the corresponding sub stream path”.

Applicants believe that the Examiner failed to fully address Applicants’ remarks. The Examiner only repeats that *Yamada* teaches (col. 6, l. 66, to col. 7, l. 9) that a title set is construed of a plurality of titles sharing the AV data with each other, but ignores the fact put forth in the above mentioned remarks that a “video data file includes AV data of all scenes constructing the title set” (col. 7, l. 39-41 of *Yamada*). Since the AV data is included in a single video file, sharing of said AV data by a plurality of titles cannot suggest Applicant’s claimed,

“binding at least one data stream which is originating from an external data source”.

In view of the forgoing discussion of certain deficiencies of *Yamada* and *Katsube*, Applicants believe that the combination of *Yahata*, *Yamada* and *Katsube* fails to render claims 1, 6 and 7 obvious and withdrawal of the rejections under 35 U.S.C. §103(a) is respectfully requested.

Claims 2 - 5 depend from claim 1 and are, for the same reasons, not rendered obvious and are patentable over the combination of *Yahata*, *Yamada*, *Katsube* and *Chotoku*. Withdrawal of the rejections under 35 U.S.C. §103(a) is respectfully requested.

It is believed that the objections set forth in the Official Action have been fully addressed and favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone Applicants' attorney in order to overcome any additional objections that the Examiner might have.

An extension of time to respond to this action is requested. The Examiner is authorized to charge the fee for one month extension of time to Deposit Account No. 07-0832

Respectfully submitted
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